

REMARKS

Applicants have amended claim 9 based on the disclosure, for example, in paragraph [0065] of the specification.

Claims 9, 13 and 14 have been rejected under 35 USC 103(a) on U.S. Patent No. 6,388,759 (Yoshida) and Japanese Patent Application Publication No. 2002-023565 (Fukuda). Applicants respectfully traverse this rejection.

Claim 9 as amended recites a plurality of input apparatuses that are different from each other in operability in entering input for a same operation. The Examiner admits that Yoshida fails to disclose the claimed input apparatuses. Instead, the Examiner relies on Fukuda for the teaching of the claimed input apparatuses. See page 5 of the Action. Applicants respectfully disagree.

When applicants submitted the Fukuda reference at the time of filing of this application, applicants attached only an English abstract to the Fukuda reference. Yet, the Examiner refers to paragraphs of Fukuda in the pending Action. Since there is no record of an English translation of Fukuda in this application, applicants attach to this Amendment a machine translation of Fukuda that was downloaded from the Japanese Patent Office website.

Claim 9 requires that the plurality of input apparatuses be different from each other in operability in entering inputs for the same operation. In the previous Amendment, applicants explained that “each of the ease of use levels is associated with the mode, not the input apparatus.” In response, the Examiner contends at page 2 of the Action as follows:

Now Fukuda teaches various tabs which are related to different operating modes and are displayed on the display screen. The user uses a designated input apparatus which is associated with setting a particular tab related to a particular operating setting mode. Each operating mode has a difficulty level or different levels of ease of use. As one non-limiting example, copy number of sheet tab can only be set by ten-key input apparatus and is considered easy, therefore, the operating mode is set to low difficulty.

Applicants respectfully disagree.

The Examiner’s argument is that Fukuda’s tab (mode) has a designated input apparatus. Since each tab has a designated input apparatus of different level of ease of use, Fukuda

discloses the limitation that the input apparatuses are different from each other in operability in entering inputs. However, all four of Fukuda's modes (tabs) have the same operability.

The mode shown in FIG. 2 includes setting of copy number. See paragraph [0015] of Fukuda. Copy numbers are entered by ten-key 2, as the Examiner properly points out. The mode shown in FIG. 3 relates to setting print size, and the modes shown in FIGS. 4 and 5 relate to setting double sided printing and print margins and using plastic print sheets. See paragraphs [0015]-[0019] of Fukuda. All four modes of Fukuda rely on ten-key 2. See FIGS. 1-4 of Fukuda.

The Examiner says that the ten-key operation is of "low difficulty." To the extent that all four modes (tabs) of Fukuda use ten-key 2, Fukuda's modes are all at the low difficulty level. Applicants note that Fukuda's modes include touch panel LCD 1. Touching a bottom on an LCD panel is as easy (or difficult) as pushing a ten-key. Besides, all four modes of Fukuda includes an LCD touch panel 1. Accordingly, there is no difference in operability of Fukuda's modes (tabs), contrary to claim language.

Furthermore, claim 9 has been amended to state that the input apparatuses are different from each other in operability in entering inputs *for the same operation*. Accordingly, the claimed image processing apparatus is required to have at least two input apparatuses for entering input *for the same operation*.

The Examiner admits that "copy number of sheet tab can only be set by ten-key input apparatus." Thus, the only way to enter the copy number in Fukuda's device is using ten-key 2 in the tab shown in FIG. 2. For Fukuda to disclose the claimed input apparatuses, Fukuda's device must have at least two input apparatuses for the operation of setting the copy number, or any other operation. Fukuda fails to disclose or suggest the claimed duplicity of entering inputs for the same operation.

The rejection of claims 9, 13 and 14 under 35 USC 103(a) on Yoshida and Fukuda should be withdrawn because Fukuda and Yoshida do not teach or suggest the claimed input apparatuses that are different from each other in operability in entering inputs for the same operation.

The remaining obviousness rejections rely on Yoshida and Fukuda and thus should be withdrawn as well because Yoshida and Fukuda do not provide the teachings for which they are cited.

In light of the above, a Notice of Allowance is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing Docket No. **325772033200**.

Respectfully submitted,

Dated: August 20, 2010

By: 

Takamitsu Fujiu
Registration No. 63,971
Morrison & Foerster LLP
1650 Tysons Boulevard, Suite 400
McLean, VA 22102-3915
Telephone: (703) 760-7751
Facsimile: (703) 760-7777